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TRANSMITTAL FORM				10/771,69			
			Filing Date	February	ebruary 4, 2004		
			First Named Inventor	Paul D. H	Paul D. Hanke		
			Art Unit	1656	1656		
(to be used for all correspondence after initial filing)			Examiner Name	Alexande	Alexander D. Kim		
			Attorney Docket Number	040049	040049		
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Signature Quane a. Stewarth							
Printed name	Duane A. Stewart, III						
Date	September 5, 2006		Reg. No.	D. 54,468			
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I hereby certify the sufficient postage the date shown b	e as first class mail in an er	peing facsi envelope add	mile transmitted to the USF dressed to: Commissioner	PTO or depo for Patents,	sited with the Ur P.O. Box 1450,	nited States Postal Service with Alexandria, VA 22313-1450 on	
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ttorney Docket No. 040049

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of:

Confirmation No. 4373

Paul D. Hanke

Art Unit: 1656

Appl. No.: 10/771,695

Examiner: Alexander D. Kim

Filed: February 4, 2004

Atty. Docket: 040049

For:

Polynucleotides Encoding a Feedback-Resistant

Aspartokinase From Corynebacterium

## **RESPONSE TO OFFICIAL ACTION**

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

This Response is filed in response to the Office Action mailed on June 2, 2006, and having a shortened statutory period for response of September 5, 2006. It is believed that this response is timely without the need for an extension. In the event that an extension is necessary, kindly grant one and deduct the fee for same from deposit account no. 02-4800, in the name of Buchanan Ingersoll PC.

The rejections of the Office Action have been carefully considered and are addressed herein. Entry of the amended claims, amended drawings, and amendments to the specification, as well as reconsideration and allowance of all claims are respectfully requested.

Amendments to the claims are presented in the Listing of Claims, beginning on page 3. Amendments to the Specification begin on page 4.

Amendments to the Figures are discussed on page 6, and Replacement Figures are included as Appendix A.

## PATENT APPLICATION Attorney Docket No. 040049

Remarks begin on page 7.

The Conclusion begins on page 10.

ATTORNEY'S DOCKET NO. "2006 ERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 040049 37 CFR 1.10 - SEPARATE PAPER IN RE APPLICATION OF Hanke et al. Filed Serial No. February 4, 2004 10/771,695 FOR Polynucleotides Encoding a Feedback-Resistant Aspartokinase From Corynebacterium EXAMINER **GROUP ART UNIT** 1656 Alexander D. Kim EV 690599428 US "Express Mail" mailing label number September 5, 2006 Date of deposit:

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to MAIL STOP AMENDMENT, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Duane A. Stewart, III

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)